

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE:

CASE NO.: 20-40712-ess

Shamaine Diana Henry,

CHAPTER 13

Debtors.

Hon. Elizabeth S. Stong  
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**CONDITIONAL ORDER**

Cenlar FSB as servicer for CitiMortgage, Inc. having filed a motion for relief from the automatic stay with respect to the property commonly known as 140-18 Burden Crescent Apartment #503, Briarwood, NY 11435, and the Debtor having tendered funds after the Motion was filed to bring the account post-petition current, thus, it is agreed between the parties, **and based on the entire record, it is hereby**

**ORDERED**, that Debtor must forward his regular monthly payments in a timely fashion in accordance with the terms of the note and mortgage, beginning with the February 1, 2023 mortgage payment; and it is further

**ORDERED**, that in the event that there should be an increase in the regular monthly payment for taxes, insurance, or as otherwise provided by the mortgage, the regular monthly payment shall be increased accordingly. Such increased payment shall then constitute the regular payment amount required as per this Conditional Order and failure to pay same shall constitute a default hereunder; and it is further

**ORDERED**, that in the event the Debtor fails to comply with the terms set forth herein, Movant may serve the Debtor, via certified mail, and the Debtors' attorney via regular mail, a 10 Day Notice of Default, for which a fee of \$50.00 may be charged, except that in no event shall the Debtor be entitled to more than three (3) notices to cure over the life of the chapter 13 case, and it is further

**ORDERED**, that the Notice of Default may be cured only by timely tendering the full amount due under the Notice of Default, and that any partial payments made by the Debtor under the Notice to Cure which are insufficient to cure the Notice of Default may be retained by Cenlar FSB as servicer for CitiMortgage, Inc., it is further

**ORDERED**, that upon Debtor's failure to cure the Notice of Default in full, Cenlar FSB as servicer for CitiMortgage, Inc., that movant may serve the Debtor and Debtor's attorney and file with the Court an Affidavit of Non-Compliance and proposed final order providing that the automatic stay as it pertains to Cenlar FSB as servicer for CitiMortgage, Inc.'s successors and/or assigns, imposed by the filing of the petition, shall be vacated pursuant to 11 U.S.C. Section 362 and that proposed final order may be entered without further notice to the Debtor or opportunity to be heard, and it is further

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**ORDERED**, that if the bankruptcy is converted from a chapter 13 to a chapter 7, this Conditional Order will not survive conversion and the stay and any co-debtor stay shall be deemed terminated upon conversion.

Dated: New York, NY  
February 17 , 2023

THE LAW OFFICES OF ISAAC  
MYERS, III

S/ Isaac Myers  
BY: Isaac Myers, III, Esq.  
Attorney for the Debtor  
333 Hudson Street, Suite 303  
New York, NY 10013  
212-804-8655

Dated: Bay Shore, New York  
February 17 , 2023

FRENKEL, LAMBERT, WEISS,  
WEISMAN & GORDON, LLP

S/Karen Sheehan  
BY: Karen Sheehan, Esq.  
Attorney for Secured Creditor  
53 Gibson Street  
Bay Shore, New York 11706  
(631)969-3100

Dated: Brooklyn, New York  
March 3, 2023



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Elizabeth S. Stong  
United States Bankruptcy Judge